

REMARKS

The Patent Examiner has required the selection of one of the following three (3) inventions for further prosecution:

Group 1. Claims 1-16, drawn to a method for the selection of molecules active in the prevention and/or treatment of Huntington's disease wherein the ability of said molecule is evaluated by its inhibition of the neuron restrictive silencer element (NRSE).

Group II. Claims 18-19 drawn to a NRSE inhibitor compound.

Group III. Claim 17 drawn to a therapeutic method for prevention and/or treatment of Huntington's disease by administration of an effective amount of NRSE inhibitor.

ELECTION:

The Applicants respectfully select herewith Group 1, claims 1-16, for further prosecution, with traverse.

The Applicants further respectfully elect chloramphenicol acetyle transferase gene as the Reporter Gene.

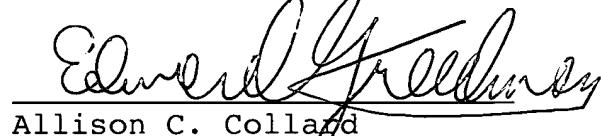
The Applicants further respectfully elect the neuronal cells of claim 8 as the Cellular System.

It is believed that the present invention is directed to a unitary inventive concept, namely, a method for preventing and treating Huntington's disease with an NRSE inhibitor. It is believed that any search for the method of Groups I and III would necessarily include a search for the NRSE inhibitor embodied in Group II. Thus, a simultaneous search for all of the Groups and the species is believed not to constitute an unreasonable search for the Patent Examiner. In addition, it is believed that the objectives of streamlined examination and compact prosecution would be promoted if a search were conducted simultaneously for all of the Groups and the species. Also, the necessity of filing multiple patent applications for the same invention does not serve to promote the public interest. This is because of the extra expense that is involved, in filing fees and examination costs, as well as the burden upon the public due to the necessity of searching through a multiplicity of patent files in order to find the complete range of subject matter claimed in several different patents that could otherwise be found in one issued patent only.

Applicants expressly reserve the right to file divisional patent applications for the non-elected inventions and species.

For all these reasons, it is respectfully submitted that the Requirement for Restriction is in error and should be withdrawn. An action on the merits of all the claims is respectfully requested.

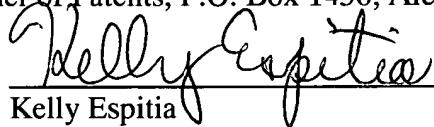
Respectfully submitted,
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Enclosure: Copy of Petition under Rule 136(a) and Rule 17(a)(1)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 26, 2006.


Kelly Espitia